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MEMO ENDORSED

January 30, 2024

Via ECF

Honorable Valerie Caproni
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

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RE: *B.M. a/o/e Z.O. v. Gonzalez, et al.*, 22-CV-2658

Dear Judge Caproni:

We represent Plaintiff in the above-captioned case. We write to request that the Court modify its January 30, 2024 Order setting the fact discovery deadline for March 15, 2024, Dkt. 128, to clarify that the March 15, 2024 deadline is the deadline to complete paper discovery rather than complete all fact discovery. Defendants, who are copied on this correspondence, consent to this request.

The prior March 1, 2024 deadline that Defendants sought to extend to March 15, 2024, was the deadline to complete paper discovery, not to complete all fact discovery in the case. *See* Nov. 2, 2023 Order, Dkt. 117, at 3. Defendants' letter motion erroneously referred to this deadline as the deadline to complete fact discovery rather than paper discovery—a scrivener's error Plaintiff's counsel also failed to catch on our review of the letter before it was filed. *See* Dkt. 127.

The Court set the original March 1, 2024 deadline for paper discovery after the parties agreed at the October 25, 2023 discovery conference that they would explore the possibility of mediation upon the completion of paper discovery, "but before depositions begin." Nov. 1, 2023 Status Report, Dkt. 116, at 3. Thus, the intention of the parties and the Court was to set a deadline solely for the completion of paper discovery, not all fact discovery. Defendants' request for a brief extension of that deadline to March 15, 2024, to facilitate its production of personal ESI did not intend to alter that scheduling framework.

Accordingly, Plaintiff respectfully requests that the Court modify its January 30, 2024 Order to clarify that the March 15, 2024 deadline is for the competition of paper discovery, not all fact discovery.

Respectfully submitted,

Application GRANTED. The Court's Order at Dkt. 128 is amended to reflect that March 15, 2024 is the deadline for the parties to complete paper discovery and not the deadline for fact discovery.

SO ORDERED.

1/30/2024



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

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/s/ Ilann M. Maazel

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